

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FEB 03 2012

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

LISA LIBERI; et al.,

Plaintiffs - Appellees,

v.

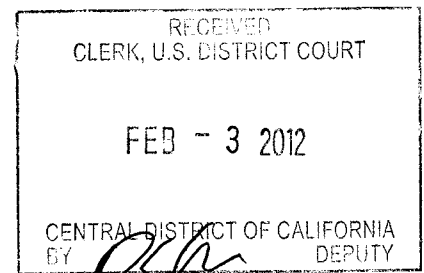
DEFEND OUR FREEDOMS
FOUNDATIONS, INC.,

Defendant - Appellant.

No. 11-56079

D.C. No. 8:11-cv-00485-AG-AJW
Central District of California,
Santa Ana

ORDER



LISA LIBERI; et al.,

Plaintiffs - Appellees,

v.

ORLY TAITZ, AKA Dr. Orly Taitz,

Defendant - Appellant.

No. 11-56164

D.C. No. 8:11-cv-00485-AG-AJW
Central District of California,
Santa Ana

ORDER

Before: Peter L. Shaw, Appellate Commissioner

Court records reflect that defendant Defend Our Freedoms Foundation filed a notice of appeal and paid filing fees on June 27, 2011 for appeal no. 11-56079. Defendant Orly Taitz filed a notice of appeal and paid filing fees on July 13, 2011 for appeal no. 11-56164. The Court sua sponte consolidates appeal nos. 11-56079 and 11-56164.

Appellees' opposed joint motion to strike the opening brief is denied.

Appellees' opposed joint motion to dismiss the appeal is denied. Appellees' motion to strike new arguments is denied without prejudice to renewing the argument in the answering brief. The cross-applications of the parties for attorney fees are denied without prejudice to renewed applications, if warranted, after the Court's resolution of these appeals. *See* 9th Cir. R. 39-1.6.

Appellants' motion to strike filings and for sanctions is denied. Court records reflect that appellees' counsel, Philip J. Berg, Esq., has been admitted to the United States Court of Appeals Ninth Circuit bar effective January 20, 2012.

Appellants' motion to grant an appeal by default is denied. *See* 9th Cir. R. 27-10. Appellants' opposed motion for an extension of time to file an opposition to the motion to dismiss is granted.

The Clerk shall strike appellant Orly Taitz's ("Taitz") request for judicial notice filed on December 20, 2011 in No. 11-56164 because the document filed by Appellant Taitz contains social security information. *See* Fed. R. App. P. 25(a)(5); Fed. R. Civ. P. 5.2(a). Appellant Taitz may file a redacted document along with another request for judicial notice. Any further motions for judicial notice will be referred to the merits panel for resolution. *See* 9th Cir. R. 27-1, Circuit Advisory Committee Note (7).

The amended briefing schedule is as follows: the consolidated answering brief is due March 7, 2012; the consolidated optional reply brief is due within 14 days after service of the consolidated answering brief.

Appellees are reminded that if they contend appellants' excerpts omit relevant portions of the record they may file supplemental excerpts of record pursuant to Ninth Circuit Rule 30-1.7 along with the consolidated answering brief.